

Message Text

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SUBJECT: SPECIAL COMMITTEE ON CHARTER

1. AT MARCH 8 AM MEETING OF SPECIAL COMMITTEE, SIERRA LEONE, CYPRUS AND THE USSR SPOKE ON PEACEFUL SETTLEMENT OF DISPUTES. MEXICO SPOKE ON THE RATIONALIZATION OF EXISTING PROCEDURES.

2. SIERRA LEONE STATED THAT, WHILE MEXICAN PROPOSAL FOR DRAFT DECLARATION DID NOT GIVE PRIORITY TO ANY ONE METHOD, DECLARATION SHOULD EMPHASIZE ADVANTAGE OF ONE METHOD OVER ANOTHER; SAID ALL METHODS MUST START WITH NEGOTIATIONS IN GOOD FAITH; BELIEVED UN SHOULD LEND ITS SUPPORT AND PRESTIGE TO REGIONAL ARRANGEMENTS FOR RESOLVING DISPUTES; SUGGESTED ENHANCING AND REINFORCING ROLE OF THE SYG UNDER ARTICLE 99 SO SYG COULD BE MORE FORTHCOMING IN BRINGING MATTERS BEFORE THE SC AND GA; SUPPORTED INCREASED USE OF ICJ ADVISORY OPINIONS. CHAIRMAN, NOTING SIERRA LEONE'S COMMENTS ON REGIONAL MACHINERY, BELIEVED COMMITTEE WOULD BENEFIT FROM LOOKING AT VARIOUS REGIONAL INSTRUMENTS FOR PEACEFUL SETTLEMENTS.

3. CYPRUS (ROSSIDES) CALLED FOR MORE EFFECTIVE UN, NOTED THAT EVEN UNANIMOUS RESOLUTIONS OF THE SC WENT UNIMPLE-

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MENTED AND BEFORE VETO COULD BE CONSIDERED, COMMITTEE MUST FIRST EXAMINE AREAS NOT REQUIRING AMENDMENT.

4. USSR COMMENTED ON VARIOUS MEANS AND MACHINERY FOR PEACEFUL SETTLEMENT WITHIN THE CHARTER; SAID SC SHOULD ENCOURAGE PEACEFUL SETTLEMENT OF LOCAL DISPUTES THROUGH RELEVANT REGIONAL ORGANIZATIONS; EXPRESSED VIEW THAT

FAILURE OF ONE METHOD FOR SETTLEMENT DID NOT RELEASE A STATE FROM CHOOSING ANOTHER METHOD, FAILURE OR SUCCESS DEPENDED ON THE POLITICAL WILL OF STATES CONCERNED; BELIEVED DIRECT NEGOTIATIONS OR CONSULTATIONS WERE MOST IMPORTANT METHOD FOR RESOLVING A DISPUTE, ARBITRATION ONLY POSSIBLE IF BOTH SIDES AGREED TO PROCEDURE, GOOD OFFICES AND MEDIATION WERE SUBSIDIARY MEANS AND COULD NOT REPLACE DIRECT NEGOTIATIONS; STATED THAT MACHINERY MENTIONED IN 1975 SYG REPORT WAS OBSOLETE, ESTABLISHMENT OF MUCH OF THAT MACHINERY WAS THE RESULT OF THE COLD WAR AND WAS CONTRARY TO THE CHARTER; COMMENTED ON INTERRELATIONSHIP OF THE PRINCIPLES OF PEACEFUL SETTLEMENT AND THE NON-USE OF FORCE; BELIEVED INCLUSION OF PEACEFUL SETTLEMENT PROCEDURES IN BILATERAL AND MULTILATERAL AGREEMENTS WAS A FUNCTIONAL APPROACH TO QUESTION; SUGGESTED THAT, RATHER THAN ESTABLISHING A GA CONCILIATION COMMISSION, IT WOULD BE BETTER TO CONCENTRATE ON DETERMINING WHY EXISTING MEANS NOT USED AND TO EXPLORE WAYS TO INCREASE THE EFFECTIVENESS OF EXISTING MEANS. USSR SAID IT WOULD CAREFULLY CONSIDER MEXICAN PROPOSAL; REQUESTED CLARIFICATION ON CERTAIN POINTS AND EXPRESSED STRONG RESERVATIONS TO CLAVO CLAUSE.

5. MEXICO SAID IT WOULD GIVE DETAILED EXPLANATION OF CALVO CLAUSE AT LATER TIME. MISINTERPRETING SIERRA LEONE'S STATEMENT, MEXICO EXPRESSED SERIOUS RESERVATIONS OVER UNCLASSIFIED

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GIVING PRIORITY TO REGIONAL ARRANGEMENTS, PARTICULARLY WHEN SOME REGIONAL ORGANIZATIONS WERE DOMINATED BY A SINGLE MEMBER, E.G., US IN THE OAS. MEXICO THEN SPOKE ON RATIONALIZATION OF EXISTING PROCEDURES AND MADE FOLLOWING RECOMMENDATIONS: 1) LIMITING NUMBER OF SUBSIDIARY BODIES THAT CAN BE CREATED, 2) DELETION FROM GA AGENDA OF ITEMS NOT CONSIDERED FOR PAST TWO YEARS; 3) EXPANSION OF GENERAL COMMITTEE'S FUNCTIONS; 4) ELECTION OF GENERAL COMMITTEE A FEW MONTHS BEFORE GA SESSION; 5) ELIMINATION OF GENERAL DEBATE, TO BE REPLACED BY DOCUMENT OF SPEECHES; 6) EACH MAIN COMMITTEE WOULD HOLD ONE GENERAL DEBATE ON ALL ITS ITEMS; 7) ESTABLISHMENT EACH YEAR OF A PERIOD OF NOT MORE THAN THREE WEEKS FOR "ANNUAL MINISTERIAL CONSULTATIONS"; 8) EQUITABLE DISTRIBUTION OF IMPORTANT SECRETARIAT POSTS; 9) CREATION OF MACHINERY TO SUPERVISE IMPLEMENTATION OF UN RECOMMENDATIONS. YOUNG

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